

REMARKS

Claims 1-3, 6-11, 26-44 are pending in the above-captioned patent application. Claims 1-3, 6-10 and 26-27 have been allowed. Claims 28-44 have been rejected. Claims 28 and 41 have been amended. Support for the amendments to claims 28 and 41 can be found on Pages 1, 3 and 7 of the specification. Reconsideration of the application is respectfully requested in view of the arguments set forth below.

Rejections Under 35 U.S.C. § 102(b)

Claims 28-44 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hovakimian (U.S. Patent No. 5,466,919). The Applicant respectfully submit that claims 28-44 are patentable over Hovakimian.

Interview Summary

On February 25, 2002, the undersigned attorney for the Applicant conducted a telephone interview with the Examiner, Daniel St.Cyr. Prior to the interview, draft amended claims 28 and 41 were forwarded to the Examiner. The draft amended claims 28 and 41 correspond to the amendments provided herein. During the interview, the Examiner acknowledged that draft amended claims 28 and 41 overcame the cited reference. However, the Examiner provided that another search would be necessary and that the amendments would not be entered under final. The Applicant wishes to thank the Examiner for his time during the interview.

**Version with markings to show changes made:**

Claims 28 and 41 were amended as set forth below.

28. (First Amended) A charity card system that facilitates a customer making a purchase from a merchant, with the merchant making [with] a charitable contribution from the purchase [being] that is forwarded to a charity, the charity card system comprising (i) a charity card that identifies the customer and the charity, and (ii) a merchant computer system used by the merchant to compute the charitable contribution from the merchant that is to be forwarded to the charity.

41. (First Amended) A charity card system that facilitates a customer making a purchase from a merchant, with the merchant making [with] a charitable contribution from the purchase [being] that is forwarded to a charity, the card system comprising:

a charity card that identifies the customer-benefactor and the charity; and

a merchant computer system that (i) reads the charity card and computes the charitable contribution from the merchant to the charity, and (ii) stores in a merchant database data on the customer-benefactor, the charity identification, and the charitable contribution from the merchant.



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**CONCLUSION**

In conclusion, Applicant respectfully asserts that claims 1-5, 6-11, and 26-44 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-456-1951 for any reason that would advance the instant application to issue.

Dated this 25<sup>th</sup> day of February, 2002.

Respectfully submitted,

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